

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

- against -

CESAR CASTILLO,

Defendant.

:

:

:

:

:

NOTICE OF MOTION FOR
SUPPRESSION OF EVIDENCE

11 Cr. 319 (AKH)

-----X
SIR:

PLEASE TAKE NOTICE that upon the annexed Affirmation of Patrick Brackley, Esq., dated December 23, 2011, the December 22, 2011 Affidavit of Cesar Castillo, the December 23 Affidavit of Angel Ramos and the accompanying Memorandum of Law, the undersigned will move this Court at the United States Courthouse at 500 Pearl Street, Courtroom 20B, New York, New York 10007-1312 on a date suitable to the Court, for an Order pursuant to Rule 12 of the Federal Rules of Criminal Procedure: (1) suppressing all physical evidence and statements as the products of a warrantless search effected without probable cause in violation of Mr. Castillo's Fourth Amendment rights or, alternatively, (2) granting a hearing to permit further fact finding on these issues.

The defendant further reserves the right to make any appropriate motion predicated upon information contained in discovery material not previously provided and for such other, further and different relief as this Court may deem just, equitable and proper.

Dated: New York, New York
December 23, 2011

s/ Patrick J. Brackley
PATRICK J. BRACKLEY, ESQ.
Attorney for Defendant
Cesar Castillo
233 Broadway, Suite 801
New York, New York 10279
(212) 334 3736

To: AUSA Alvin Bragg
Office of the United States Attorney
Southern District of New York